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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,397	09/25/2003	Damon V. Danieli	13768.810.58	8072
47973 7590 06/18/2007 WORKMAN NYDEGGER/MICROSOFT 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111			EXAMINER TO, BAOTRAN N	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 06/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,397

Applicant(s)

DANIELI, DAMON V.

Examiner

Baotran N. To

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 and 41-43 (Canceled) is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant elected Species III (Claims 33-40) without traverse as being directed to the species of FIGURE 9. The applicant cancels claims 1-32 and Claims 41-43.

Claims 33-40 remain for examination.

Claim Objections

2. Claim 37 is objected to because of the following informalities: Claim 37 is improper dependent claim because claim 37 is medium claim that is dependent on a method claim. Therefore, Claim 37 is improper form of dependent Claim. Appropriate correction is required.

Claims 33 and 38 are objected to because of the following informalities: Claims 33 and 38 recite "allowed" and "permitted" terms. It is unclear what applicant's intended metes and bound of the claim are, since claims appear to cover everything that does not prohibit actions from occurring. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 33-34 and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent Application Publication 2002/0193162 A1) hereinafter Walker in view of Miura (U.S. Patent 6,322,451 B1) hereinafter Miura.

Regarding Claim 33, Walker discloses a method for enabling players in a massively multiplayer game to communicate with each other in a peer-to-peer relationship so as to substantially reduce a workload of a game server that hosts the massively multiplayer game (paragraph 0198), comprising the steps of:

(a) requiring each person who wants to participate as a player in playing the massively multiplayer game to first enroll in a game service operating the game server (Figure 3, element 312);

(b) authenticating each player attempting to access the game server by determining if the player is enrolled in the game service, so that only persons who have enrolled are allowed to access the game server as a player (Figure 3, elements 308 and 310).

Walker does not disclose "(c) providing a first player a list identifying at least one other player who can interact with the first player in the massively multiplayer game that is hosted by the game server."

However Miura explicitly discloses "(c) providing a first player a list identifying at least one other player who can interact with the first player in the massively multiplayer game that is hosted by the game server (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Miura's invention within Walker to include providing a first player a list identifying at least one other player who can interact with the first player in the massively multiplayer game that is hosted by the game server. One of ordinary skill in the art would have been motivated to do this because it would allow the player to select a desired player among other players so that the player can enjoy a fighting with the selected player in a common game space (col. 1, lines 53-57).

Walker and Miura disclose the limitations of Claim 33 above. Furthermore, Walker and Miura disclose (d) enabling the first player to select a second player from the list, the second player who has been selected being indicated to the game server (Walker, Figure 5, col. 5, lines 53-55); and

(e) transmitting information about the second player from the game server to the first player, the information being required for enabling a peer-to-peer communication to be established between the first player and the second player (Walker, paragraphs 0194 and 0198).

Regarding Claim 34, Walker and Miura disclose the limitations of Claim 33 above. Furthermore, Walker and Miura disclose wherein the step of authenticating each player attempting to access the game server comprises the step of assigning each player a unique user key (Walker, Figure 3, element 316), and the step of transmitting information about the second player from the server to the first player comprises the step of transmitting the second player's user key, thereby assuring the second player

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that the request to open the peer-to-peer communication comes from a trusted player participating in the massively multiplayer game hosted by the game server (Walker, paragraphs 0194 and 0198).

Regarding Claim 37, Walker and Miura disclose the limitations of Claim 33 above. Furthermore, Walker and Miura disclose a memory medium on which are stored machine instructions for carrying out the steps of claim 33 (Walker, paragraph 0090).

Regarding Claim 38, Walker discloses a networked game system for providing a gaming environment in which only authorized players are permitted to establish peer-to-peer communication with other authorized players during game play, thereby enhancing game play without requiring resources from the networked game system to manage ongoing communication between players (paragraph 0198), comprising:

- (a) a processor (Figure 1, element 102); and
 - (b) a memory in communication with the processor, said memory storing machine instructions that cause the processor to carry out a plurality of functions (Figure 1, element 102), including:
 - (i) screening each player attempting to access the gaming environment hosted by the game system, so that only authorized players are allowed access to the gaming environment hosted by the game system (Figure 3, elements 308 and 310);
- Walker does not disclose (ii) providing a first authorized player with a list including at least one other authorized player participating in the gaming environment."

However Miura explicitly discloses (ii) providing a first authorized player with a list including at least one other authorized player participating in the gaming environment (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Miura's invention within Walker to include providing a first authorized player with a list including at least one other authorized player participating in the gaming environment. One of ordinary skill in the art would have been motivated to do this because it would allow the player to select a desired player among other players so that the player can enjoy a fighting with the selected player in a common game space (col. 1, lines 53-57).

Walker and Miura disclose the limitations of Claim 38 above. Furthermore, Walker and Miura disclose (iii) enabling the first authorized player to identify a second authorized player from the list (Walker, Figure 5, col. 5, lines 53-55);

(iv) transmitting information about the second authorized player from the game system to the first authorized player, the information including any address required to enable the peer-to-peer communication to be established between the first authorized player and the second authorized player (Walker, paragraphs 0194 and 0198).

Regarding Claim 39, Walker and Miura disclose the limitations of Claim 38 above. Furthermore, Walker and Miura disclose wherein the information includes a user key assigned to the second authorized player by the game system (Walker, Figure 3, element 316), thereby assuring the second authorized player that the request to open

the peer-to-peer communication comes from a trusted player (Walker, paragraphs 0194 and 0198).

4. Claims 35-36 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker and Miura as applied to claims 33 and 38 above, and further in view of Perlman (U.S. Patent 5,586,257) hereinafter Perlman.

Regarding Claims 35 and 40, Walker and Miura disclose the limitations of Claims 33 and 38 above. Walker and Miura further disclose wherein if after receiving information about the second player, the first player is unable to establish the peer-to-peer communication with the second player (Walker, paragraphs 0194 and 0198), but Walker and Miura disclose further comprising the steps of: (a) notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed.

However, Perlman explicitly discloses (a) notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed (col. 14, line 40 through col. 15, line 20).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Perlman's invention within Walker and Miura to include notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed. One of ordinary skill in the art

would have been motivated to do this because it would provide the directly link the first computer with second computer (col. 4, lines 27-30).

Furthermore, Walker, Miura and Perlman disclose (b) transmitting information about the first player from the game server to the second player, the information being required for enabling a peer-to-peer communication to be established between the first player and the second player (Perlman, col. 17, 28-33); and (c) requesting the second player to establish a peer-to-peer communication with the first player (Perlman col. 4, lines 40-42 and col. 21, lines 45-55).

Regarding Claim 36, Walker, Miura and Perlman disclose the limitations of Claim 35 above. Furthermore, Walker, Miura and Perlman disclose wherein if after receiving information about the first player, the second player is unable to establish the peer-to-peer communication with the first player, further comprising the step of routing each communication between the first player and second player through the game server (Perlman, col. 14, line 40 through col. 15, line 20).

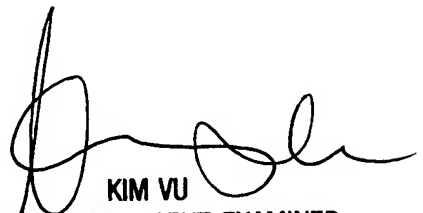
Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baotran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BT
06/08/2007



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